

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3209

(202) 326-7900
FACSIMILE:
(202) 326-7999

November 28, 2006

Ex Parte Filing

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby, Room TW-A325
Washington, D.C. 20554

Re: Toll Free Service Access Codes, CC Docket 95-155

Dear Ms. Dortch:

I have enclosed for filing two copies of a letter sent today on behalf of the SMS/800 Management Team to Ms. Julie A. Veach in reference to the above-captioned docket. In accordance with 47 C.F.R. § 1.1206(b)(1), please include this letter in the record of this proceeding.

If you have any questions concerning this matter, please contact me at (202) 326-7900.

Sincerely,

/s/ Aaron M. Panner
Aaron M. Panner

Enclosures

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3209
(202) 326-7900
FACSIMILE:
(202) 326-7999

November 28, 2006

Ex Parte Filing

Julie A. Veach
Deputy Chief, Wireline Competition Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby, Room TW-A325
Washington, D.C. 20554

Re: Toll Free Service Access Codes, CC Docket 95-155

Dear Ms. Veach:

I write on behalf of the SMS/800 Management Team ("SMT") in regard to the Order of August 31, 2006 (the "Order"), in the above-captioned docket. The Order granted a request by the American National Red Cross to assign two toll-free numbers permanently to the Red Cross. The Order also "direct[s] the toll-free database administrator, Database Service Management, Inc. ["DSMI"] to permanently assign" those numbers to the Red Cross.

The SMT (of course) has no objection to the permanent assignment of numbers to the Red Cross. At the same time, in directing *DSMI* to effect a permanent assignment of the numbers of the Red Cross, the order places the obligation on the wrong party. The database administered by DSMI assigns numbers to a particular Responsible Organization ("Resp Org"); the Resp Org is then responsible for effecting the assignment and routing of the number to a particular end-user, using the capabilities provided by the database.¹ DSMI will usually not even be aware of the identity of the subscriber.

Under ordinary circumstances, once a subscriber has been assigned a particular toll-free number, the Resp Org would not reassign it without the subscriber's permission; if the subscriber changes its toll-free provider, the number is portable to the new provider. Accordingly, now that the assignment of the two numbers to the Red Cross has been effected, there is no reason to anticipate that any further action will be required to

¹ See generally Notice of Proposed Rulemaking, *Toll Free Service Access Codes*, 10 FCC Rcd 13692, 13694, ¶ 7 (1995).

Julie A. Veach, Deputy Chief
November 28, 2006
Page 2

preserve that assignment. Nevertheless, the SMT wishes to clarify, for the record, that DSMI has no ability to prevent a Resp Org from reassigning a particular toll-free number that has been assigned to that Resp Org – the database simply is not set up that way.

Please let me know if I can provide any additional clarification in this matter.

Sincerely,

/s/ Aaron M. Panner
Aaron M. Panner

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3209
(202) 326-7900
FACSIMILE:
(202) 326-7999

November 28, 2006

Ex Parte Filing

Julie A. Veach
Deputy Chief, Wireline Competition Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby, Room TW-A325
Washington, D.C. 20554

Re: Toll Free Service Access Codes, CC Docket 95-155

Dear Ms. Veach:

I write on behalf of the SMS/800 Management Team ("SMT") in regard to the Order of August 31, 2006 (the "Order"), in the above-captioned docket. The Order granted a request by the American National Red Cross to assign two toll-free numbers permanently to the Red Cross. The Order also "direct[s] the toll-free database administrator, Database Service Management, Inc. ["DSMI"] to permanently assign" those numbers to the Red Cross.

The SMT (of course) has no objection to the permanent assignment of numbers to the Red Cross. At the same time, in directing *DSMI* to effect a permanent assignment of the numbers of the Red Cross, the order places the obligation on the wrong party. The database administered by DSMI assigns numbers to a particular Responsible Organization ("Resp Org"); the Resp Org is then responsible for effecting the assignment and routing of the number to a particular end-user, using the capabilities provided by the database.¹ DSMI will usually not even be aware of the identity of the subscriber.

Under ordinary circumstances, once a subscriber has been assigned a particular toll-free number, the Resp Org would not reassign it without the subscriber's permission; if the subscriber changes its toll-free provider, the number is portable to the new provider. Accordingly, now that the assignment of the two numbers to the Red Cross has been effected, there is no reason to anticipate that any further action will be required to

¹ See generally Notice of Proposed Rulemaking, *Toll Free Service Access Codes*, 10 FCC Rcd 13692, 13694, ¶ 7 (1995).

Julie A. Veach, Deputy Chief
November 28, 2006
Page 2

preserve that assignment. Nevertheless, the SMT wishes to clarify, for the record, that DSMI has no ability to prevent a Resp Org from reassigning a particular toll-free number that has been assigned to that Resp Org – the database simply is not set up that way.

Please let me know if I can provide any additional clarification in this matter.

Sincerely,

/s/ Aaron M. Panner
Aaron M. Panner